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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 43440

First Inventor GHOLAM A. PEYMAN

Title AN ADJUSTABLE UNIVERSAL IMPLANT BLANK FOR MODIFYING CORNEAL CURVATURE AND METHODS OF MODIFYING CORNEAL...

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 34]
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 17]
5. Oath or Declaration [Total Pages]
- a. ☒ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
- b. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

 Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Non-publication request

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

Prior application information Examiner Julian W. Woo

of prior application No. 09 / 532,516

Group Art Unit 3731

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 001603 or ☒ Correspondence address below

Name Roylance, Abrams, Berdo & Goodman, L.L.P.

1300 19th Street, N.W.

Address Suite 600

City Washington State D.C. Zip Code 20036

Country USA Telephone (202) 659-9076 Fax (202) 659-9344

Name (Print/Type) Jeffrey J. Howell Registration No. (Attorney/Agent) 46,402

Signature [Signature] Date March 7, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$) \$26.00

Complete if Known

Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	Gholam A. PEYMAN
Examiner Name	J. Woo
Group Art Unit	3731
Attorney Docket No.	43440

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number 18-2220
- Deposit Account Name Roylance, Abrams et al.
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Code (\$)	Code (\$)		
101 740 201 370	Utility filing fee		370.00
106 330 206 165	Design filing fee		
107 510 207 255	Plant filing fee		
108 740 208 370	Reissue filing fee		
114 160 214 80	Provisional filing fee		

SUBTOTAL (1) (\$) 370.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	26** =	9	72
Multiple Dependent	3** =	2	84

Large Entity Small Entity

Fee	Fee	Fee	Fee Description
Code (\$)	Code (\$)	Code (\$)	
103 18 203 9	Claims in excess of 20		
102 84 202 42	Independent claims in excess of 3		
104 260 204 140	Multiple dependent claim, if not paid		
109 84 209 42	** Reissue independent claims over original patent		
110 18 210 9	** Reissue claims in excess of 20 and over original patent		

SUBTOTAL (2) (\$) 156.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Code (\$)	Code (\$)		
105 130 205 65	Surcharge - late filing fee or oath		
127 50 227 25	Surcharge - late provisional filing fee or cover sheet		
139 130 139 130	Non-English specification		
147 2,520 147 2,520	For filing a request for ex parte reexamination		
112 920* 112 920*	Requesting publication of SIR prior to Examiner action		
113 1,840* 113 1,840*	Requesting publication of SIR after Examiner action		
115 110 215 55	Extension for reply within first month		
116 400 216 200	Extension for reply within second month		
117 920 217 460	Extension for reply within third month		
118 1,440 218 720	Extension for reply within fourth month		
128 1,960 228 980	Extension for reply within fifth month		
119 320 219 160	Notice of Appeal		
120 320 220 160	Filing a brief in support of an appeal		
121 280 221 140	Request for oral hearing		
138 1,510 138 1,510	Petition to institute a public use proceeding		
140 110 240 55	Petition to revive - unavoidable		
141 1,280 241 640	Petition to revive - unintentional		
142 1,280 242 640	Utility issue fee (or reissue)		
143 460 243 230	Design issue fee		
144 620 244 310	Plant issue fee		
122 130 122 130	Petitions to the Commissioner		
123 50 123 50	Processing fee under 37 CFR 1.17(d)		
126 180 126 180	Submission of Information Disclosure Stmt		
581 40 581 40	Recording each patent assignment per property (times number of properties)		
146 740 246 370	Filing a submission after final rejection (37 CFR § 1.126(a))		
149 740 249 370	For each additional invention to be examined (37 CFR § 1.126(b))		
179 740 279 370	Request for Continued Examination (RCE)		
168 900 168 900	Request for expedited examination of a design application		

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

SUBMITTED BY

Name (Print/Type) Jeffrey J. Howell

Signature *Jeffrey J. Howell*

Registration No.
(Attorney/Agent)

46,402

Complete (if applicable)

Telephone (202) 659-9076

Date March 7, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	GHOLAM A. PEYMAN
Title	AN ADJUSTABLE UNIVERSAL IMPLANT BLANK FOR MODIFYING CORNEAL CURVATURE AND METHODS OF MODIFYING CORNEAL CURVATURE THEREWITH
Atty Docket Number	43440

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 7, 2002

Date



Signature

Jeffrey J. Howell

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.